

**State of Hawaii
Department of Health
Clean Water Branch**

**Do NOT submit
this document.**

Guidelines for CWB-NOI Form C

**Guidelines for Notice of Intent for Hawaii Administrative Rules,
Chapter 11-55, Appendix C, National Pollutant Discharge Elimination
System (NPDES) Notice of General Permit Coverage (NGPC)**

TABLE OF CONTENTS

<u>Note</u>		<u>Page</u>
1.	Owner Information	2
2.	Owner Type	2
3.	General Contractor Information	2
4.	Project Information	2
5.	Receiving State Water(s) Information	2
6.	Quantity of Storm Water Discharge	3
7.	Non-Storm Water Information	3
8.	Location Map	3
9.	Flow Chart	4
10.	Existing or Pending Permits, Licenses, or Approvals	4
11.	NGPC Renewal	4
12.	Automatic Coverage	4
	a. Claiming Automatic Coverage	4
	b. Waiving Automatic Coverage	5
13.	Construction Site Characterization	5
14.	Construction Site Area	5
15.	Construction Best Management Practices (BMPs) Plan	5
16.	Post-Construction Pollutant Control Measures	8
17.	Additional Information	8
18.	Authorization of Representative	8
19.	Certification	9

1. Owner Information

The owner may be the land owner or developer. The acknowledgment of receipt of the NOI and the NGPC will be sent to the street or mailing address provided for this item.

2. Owner Type

If "Other" is checked, indicate the category type or types of the owner.

3. General Contractor Information

Provide the information in this item or check the space provided to indicate that the information will be submitted 30 days before the start of construction activities.

4. Project Information

For projects which are part of a larger plan of development or sale, indicate the project name and the phase(s) of the project. The street address is the project location with respect to identifiable street names or adjacent developments or properties (i.e., 1234 15th Drive or northwest corner of 1st Street and X Avenue). The mailing address may be the mailing address of the project's contact person.

5. Receiving State Water(s) Information

a. Receiving State Water(s) Name

- i. State waters means "all waters, fresh, brackish, or salt around and within the State, including, but not limited to, coastal waters, streams, rivers, drainage ditches, ponds, reservoirs, canals, ground waters, and lakes; provided that drainage ditches, ponds, and reservoirs required as part of a water pollution control system are excluded" (from HRS, Section 342D-1).
- ii. Identify the receiving State water name in relation to the construction site based on the topography or contours of the land, excluding evaporation, percolation, retention, detention, etc. If the storm water discharging from the construction site directly enters the State water, provide the name of that State water body. If the storm water discharging from the construction site first enters a storm drainage system, provide the name of the receiving State water body that the storm drainage system enters and complete Item 5.c. Sample responses for this item include: Pacific Ocean at Sandy Beach, Honolulu Harbor, Pearl Harbor, Aiea Stream, unnamed stream, Kaloι Gulch, unnamed dry gulch, or gully, etc.
- iii. Provide the coordinates of the discharge point where storm water from the construction site first enters the receiving State water. If the storm water first enters a storm drainage system, provide the discharge point coordinates for the outfall where the storm drainage system enters State waters to the nearest one (1) second. If possible, use the Global Positioning System (GPS) or Geographical Information System (GIS) to obtain the coordinates on the NAD83 datum. Otherwise, use a U.S. Geological Survey (USGS) or any other appropriate map to interpolate the coordinates.
- iv. If the storm water discharge enters the receiving State water as a sheet flow, provide the coordinates based on the limits of discharge (i.e., Latitude 21°27'46"N, Longitude 158°01'27"W to Latitude 21°27'55"N, Longitude 158°01'44"W).
- v. State water classification is available on the Water Quality Standards Map dated October 1987 or in HAR, Chapter 11-54. The maps are available on the CWB website at <http://www.hawaii.gov/health/environmental/water/cleanwater/wqsmaps/index.html>. HAR, Chapter 11-54 is available on the DOH website at <http://www.hawaii.gov/health/about/rules/11-54.pdf>.

- b. Attach the information requested in Item 5.a. on a separate sheet if there are additional discharge points. Properly label the discharge points with numbers (i.e., Discharge Point No. 1, Discharge Point No. 2, etc.) which correspond to the location map(s) and flow chart(s) submitted. If there are multiple drainage structures (i.e., inlets) and multiple discharge points, designate which inlets lead to each discharge point.
- c. Discharges applicable to Item 5.c. include storm water runoff which enters a storm drainage system or discharges to the right-of-way which flows into a storm drainage system. Provide the discharge point coordinates for each drainage structure where the storm water runoff enters the storm drainage system to the nearest one (1) second. Otherwise, use USGS or any other appropriate map to interpolate the coordinates. If the approval to discharge into the storm drainage system is pending, submit a copy of the application or letter requesting approval.

6. Quantity of Storm Water Discharge

Estimate the quantity of storm water runoff during construction when the greatest and/or maximum area of disturbance occurs. Provide the supporting calculations in an attachment.

7. Non-Storm Water Information

a. Source(s) of the Non-Storm Water

Only storm water runoff through a construction activity is covered by this General Permit. If the non-storm water is discharged from the construction activity, identify where the water is discharged. Discharge of treated non-storm water into receiving State waters may require a separate NPDES permit. Provide information on any non-storm water (i.e., treated dewatering effluent, treated hydrotesting effluent discharge, equipment/vehicle washwater, concrete truck drum wash water, irrigation water, water used for dust control, etc.) that may be generated during the construction activity.

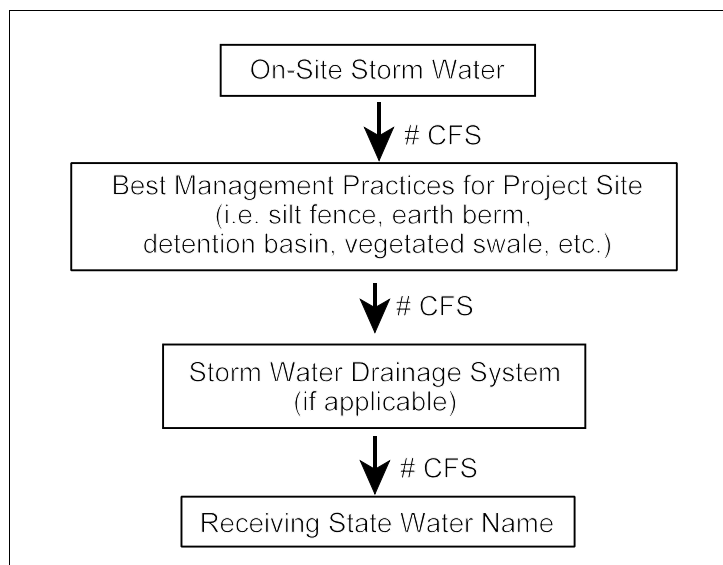
b. Non-Storm Water Handling Method

If the non-storm water is not discharged from the facility, identify the non-storm water handling methods to prevent discharge in detail, and show the locations of the controls, measures, or handling method(s) that will be implemented to prevent the discharge of the non-storm waters or indicate the page number(s) of the Site-Specific BMPs Plan which addresses the treatment of the non-storm water discharge.

8. Location Map

- a. Provide a location map on 8-1/2 by 11 inches sized paper showing the island on which the construction activity is located and the approximate location of the construction activity.
- b. Provide a topographic map on 8-1/2 by 11 inches sized paper or folded to 8-1/2 by 11 inches showing at least one mile beyond the construction activity's property boundaries and the receiving State water(s). The map should also include the discharge point(s) where the storm water runoff exits the construction activity and discharges to the receiving State water(s) and, if applicable, the locations where the storm water runoff enters into a storm drainage system/structure.
- c. If there is more than one (1) discharge point into a drainage structure and/or State receiving water, provide identification numbers and coordinates for each discharge point.

9. Flow Chart



An example of a line drawing indicating how the water flows through the project site and the approximate amount of flow is shown. Indicate any treatment system(s) or erosion control(s) used. The quantity of discharge contributed by each source (i.e., storm water from four different drainage areas) may be estimated if no data is available.

10. Existing or Pending Permits, Licenses, or Approvals

- a. Indicate any additional NPDES Permit number and/or NGPC File number which is associated with this facility.
- b. Provide any Department of the Army (DA) file number associated with the facility.
- c. Provide the Item 401 Water Quality Certification (WQC) file number associated with the DA Permit.
- d. Others (i.e., Underground Injection Control file number, State Department of Land and Natural Resources - State Historic Preservation Division {SHPD} file number). Submit the NOI to SHPD for review of burial sites, historic burial sites, and native Hawaiian rights in compliance with Hawaii Revised Statutes, Chapter 6E-42(a). Provide the SHPD file number or submit a copy of the transmittal to SHPD. See General Guidelines for NOI Forms B through L - Note VII.F.

11. NGPC Renewal

If this is a CWB-NOI Form for NGPC renewal, provide the NGPC file number previously assigned to this project in the space provided.

12. Automatic Coverage

a. Claiming Automatic Coverage

The owner may request automatic coverage under the applicable NPDES General Permit if the CWB-NOI Form is for a new discharge and he/she believes that the CWB-NOI Form is complete, the filing fee has been paid, and that they are complying with the applicable NPDES General Permit requirements. In order to claim automatic coverage, the NOI shall contain all site-specific plans, contractor information, and all necessary permits. The risks involved with claiming automatic coverage include:

- i. The CWB-NOI Form may later be found to be incomplete by the Director or by a court;
- ii. The owner may not be covered under the terms of the General Permit, even if the CWB-NOI Form is complete;

- iii. The owner may be acting in conflict with the NPDES General Permit or HAR, Chapter 11-55 even if the owner or general contractor is complying with its CWB-NOI Form; and
 - iv. The Director may modify, revoke and reissue, or terminate an NGPC under HAR, Section 11-55-34.11.
- b. Waiving Automatic Coverage

The owner and general contractor agree to wait until receipt of the NGPC issued by the Department before starting the activity.

13. Construction Site Characterization

Provide the information requested. The entire scope of work for the construction activity should be provided in Item 13.a. (i.e., clearing and grubbing, installation of utilities, paving of roadways, excavation for swimming pool or footing, construction of building(s), landscaping, etc.).

14. Construction Site Area

If construction will be done in phases, indicate the area(s) required for each phase of a multi-phase construction project on a separate sheet for Item 14.a., b., and c.

- a. Total area of the site is the total area of the property(ies).
- b. Area of the site that is expected to undergo any disturbance, including, but not limited to excavation, grading, equipment staging, and storage areas.
- c. Impervious area of the disturbed portion of the site after construction is completed is the area covered by asphalt, concrete, buildings, or any other impervious material.

15. Construction Best Management Practices (BMPs) Plan

If this entire item is completed with the project's site-specific information, it may be considered to be the Site-Specific Construction BMPs Plan. If any portion of the information requested is not completed or is a general response, this item will NOT be considered to be the Site-Specific Construction BMPs Plan.

- a. Project Site Map
 - i. If construction will be done in phases, provide a phasing map identifying each phase of the multi-phase construction project and the boundaries of each phase as required in Item 15.a.i.
 - ii. Attach a site map(s) (i.e., site plan, grading plan, drainage plan, erosion control plan, etc. folded to 8-1/2 by 11 inches) which shows the information requested in Items 15.a.ii.(1) through 15.a.ii.(10) of CWB-NOI Form C.
 - (1) Items 15.a.ii.(1) through 15.a.ii.(6) shall be submitted with the NOI.
 - (a) For Item 15.a.ii.(2) - Indicate the areas of soil disturbance (i.e., limits of grading, project area).
 - (b) For Item 15.a.ii.(3) - Indicate the project's drainage pattern(s) with flow arrows on a map showing the existing and finished grade contours within and along the boundaries of the project site (i.e., grading plan). Also show the direction of storm water runoff from the project site (i.e. excluding evaporation, percolation, retention, detention, etc.) to the receiving State

water based on the topography or contours of the land or through the storm drainage system.

- (2) If Items 15.a.ii.(7) through 15.a.ii.(10) are not available at the time of NOI submittal, the information may be submitted at least 30 days before the start of construction activities.

- (a) For Item 15.a.ii.(7) - Indicate the areas used for staging, storage, and/or stockpiling.

- (3) If more than one map is submitted, indicate the map name that shows the information required for each item.

- iii. If any items are not applicable, indicate them by number in Item 15.a.iii.
 - iv. Indicate which items will be submitted 30 days before the start of construction activities in Item 15.a.iv.
- b. The construction BMPs plan shall describe methods to minimize erosion of soil and discharge of other pollutants into State waters and, after completion of the construction activity, removal procedures for the construction site BMPs. The control measures shall be designed, implemented and maintained in a manner to properly isolate and confine the construction activities and to contain and prevent the potential pollutant(s) discharges from impacting the State water quality.
- i. Construction Activity - Describe the nature of the construction activity.
 - (1) What is to be constructed and the construction sequence?
 - (2) If the project is a multi-phase construction project, include a list of each phase.
 - (3) What type of materials and heavy equipment will be used for the construction activity?
 - ii. Quality of Discharge - Describe the nature of the fill material to be used and existing data describing the soil or the quality of any discharge from the project site.
 - iii. Potential Pollutant(s) - Identify all the potential pollutant(s) that will be generated by the proposed construction activities and show the location(s) of the proposed control measures or treatment, as applicable. These pollutants may include, but are not limited to:
 - (1) Construction debris, removed vegetation;
 - (2) Discharges associated with the operation and maintenance of the equipment, such as oil, fuel and hydraulic fluid leakage;
 - (3) Soil erosion from the disturbed areas and stockpile areas; and
 - (4) Location(s) of oil, fuel or any hazardous material storage site(s) and containment structure(s).
 - iv. Controls for Land Disturbances - The owner and/or general contractor shall comply with all conditions as stated in HAR, Chapter 11-55, Appendix C, under Special Conditions for Land Disturbances. The Department suggests including the following language in the BMPs plan. It may be amended to be site-specific (i.e., type of cover to be used).

"The following special conditions apply to all land disturbance work conducted under this general permit:

(a) Construction Management Techniques

- (1) Clearing and grubbing shall be held to the minimum necessary for grading and equipment operation.
- (2) Construction shall be sequenced to minimize the exposure time of the cleared surface area.
- (3) Construction shall be staged or phased for large projects. Areas of one phase shall be stabilized before another phase is initiated. Stabilization shall be accomplished by temporarily or permanently protecting the disturbed soil surface from rainfall impacts and runoff.
- (4) Erosion and sediment control measures shall be in place and functional before earth moving operations begin. These measures shall be properly constructed and maintained throughout the construction period.
- (5) All control measures shall be checked and repaired as necessary, for example, weekly in dry periods and within twenty-four hours after any rainfall of 0.5 inches or greater within a 24-hour period. During prolonged rainfall, daily checking is necessary. The permittee shall maintain records of checks and repairs.
- (6) The permittee shall maintain records of the duration and estimated volume of storm water discharge(s).
- (7) A specific individual shall be designated to be responsible for erosion and sediment controls on each project site.

(b) Vegetation Controls

- (1) Pre-construction vegetative ground cover shall not be destroyed, removed, or disturbed more than twenty calendar days prior to land disturbance.
- (2) Temporary soil stabilization with appropriate vegetation shall be applied on areas that will remain unfinished for more than thirty calendar days.
- (3) Permanent soil stabilization with perennial vegetation or pavement shall be applied as soon as practical after final grading. Irrigation and maintenance of the perennial vegetation shall be provided for thirty calendar days or until the vegetation takes root, whichever is shorter.

(c) Structural Controls

- (1) Storm water flowing toward the construction area shall be diverted by using appropriate control measures, as practical.
- (2) Erosion control measures shall be designed according to the size of disturbed or drainage areas to detain runoff and trap sediment.
- (3) Water must be discharged in a manner that the discharge shall not cause or contribute to a violation of the basic water quality criteria as specified in section 11-54-04."

- v. Erosion and Sediment Control Requirements - If applicable, submit the county-approved erosion and sediment control plan and/or the county-approved grading permit as appropriate for the activity and a schedule for implementing each control with the NOI or 30 days before the start of construction activities. If the approval is pending, submit a copy of the grading permit application.

- vi. Construction Schedule - Attach the proposed construction schedule which shall include, at a minimum:
 - (1) The date when the general contractor will begin and end the site disturbance;
 - (2) Dates when erosion control measures will be implemented and removed; and
 - (3) The dates when major construction activities begin and end.
- c. The site-specific construction BMPs plan shall be submitted as an attachment to CWB-NOI Form C or 30 days before the start of construction activities. If there are items of the facility site map listed in Item 15.a.iv., your construction BMPs plan is **not** considered site-specific. The control measures proposed in the site-specific construction BMPs plan shall be site and project specific. If the site-specific construction BMPs plan is submitted at a later date, it must be signed in accordance with HAR, Section 11-55-34.08(e). The site-specific construction BMPs plan must be kept at the construction site.

16. Post-Construction Pollutant Control Measures

Examples of measures that will minimize the discharge of pollutants via storm water discharges after construction operations have been finished include: hydro-mulch or landscape all of the exposed areas; vegetate swales and natural depressions; structures for storm water retention, detention, or recycling; velocity dissipation devices to be placed at the outfalls of detention structures or along with the length of outfall channels; or other appropriate measures.

17. Additional Information

Any other site-specific information pertaining to the project may also be provided in this item. Additional sheets may be attached with reference to Item 17.

18. Authorization of Representative

- a. Alteration of the text in this item will result in the invalidation of the authorization statement(s).
- b. If the person being duly authorized as the representative is the same person signing the certification page (Item 19), do not complete this item.
- c. Authorization statements are provided for the owner to complete as required. Options include statement(s): "a" or "b" or "c" or "a and c" or "d." If choosing "a and c," the owner may specify one representative in option "a" and another in option "c."
 - i. Option "a": This authorization begins with NOI processing and ends upon the owner's receipt of the NGPC. After issuance of the NGPC, the owner corresponds directly with the CWB.
 - ii. Option "b": This authorization begins with NOI processing and ends upon receipt of the Notice of Cessation (CWB-NOC Form) by the CWB.
 - iii. Option "c": This authorization begins upon the owner's receipt of the NGPC and ends upon receipt of the CWB-NOC Form by the CWB.
 - iv. Option "d": If authorization statements a, b, and/or c do not meet the intent of the authorization, the owner or its duly authorized representative may attach a separate authorization statement specifying the limited authorization of the representative.

- d. Additional information will be requested from the authorized representative (with a copy to the owner) at the street or mailing address or phone or fax number provided for this item, as applicable.
- e. Provide the duly authorized representative's information in the applicable item(s). There shall be only one duly authorized representative at any time. The designated duly authorized representative may be changed by the owner at any time during the processing of the CWB-NOI Form or the term of the NGPC. The duly authorized representative will no longer be authorized effective on the date of receipt of any new authorization statement from the owner.
- f. Pursuant to HAR, Section 11-55-34.08(f), all other reports or responses to requests for information required by the director shall be signed by a person designated in HAR, Section 11-55-07(a) or by a duly authorized representative of that person.
- g. HAR, Sections 11-55-07(b) and (c) state:
 - "(b) A person is a duly authorized representative only if:
 - (1) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, superintendent, or position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.);
 - (2) The authorization is made in writing by a person designated under subsection (a); and
 - (3) The written authorization is submitted to the director.
 - (c) If an authorization under subsection (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of subsection (b) must be submitted to the director prior to or together with any reports, information, or applications to be signed by an authorized representative."

19. Certification

- a. Do not alter the statements in or format of this item. Alteration of this item will result in the invalidation of this CWB-NOI Form submittal.
- b. The person certifying this CWB-NOI Form must meet one of the descriptions as indicated in this item and be employed by the owner listed in Item 1.

